REMARKS

Claims 1, 3, 4 and 6-14 are pending in this application. Claim 1 is the only independent claim.

By this amendment, claim 1 is amended and claim 5 is canceled without prejudice or disclaimer thereto.

Reconsideration in view of the above amendments and following remarks is respectfully solicited.

Applicants respectfully request entry of the present Amendment After Final in that the amendment to the claims do not raise any new issues that would require further consideration and/or search. For example, the amendment to independent claim 1 merely incorporates subject matter from claim 5, which has been canceled, and thus does not raise a new issue that would require further consideration and/or search. Accordingly, entry of the claim amendments and allowance of each of claims 1, 3, 4 and 6-14 is earnestly solicited in connection with the present application.

The Claim Objections Are Obviated

The final Office Action objects to claim 1 for minor informalities contained therein. This objection is respectfully traversed.

Applicants respectfully submit that the amendment to claim 1 obviates the objection of the claim.

Accordingly, withdrawal of the objection to claim 1 is respectfully solicited.

The Claims Define Patentable Subject Matter

The Office Action makes the following rejections:

(1) claims 1 and 3-14 are rejected under 35 U.S.C. §103(a) as being unpatentable under U.S. Patent No. 6,556,243 to Dotsubo et al. (hereafter Dotsubo) in view of U.S. Patent No. 6,593,965 to Miyamoto. (note: the Examiner has inappropriately called this a 102(e) rejection)

This rejection is respectfully traversed.

Applicants respectfully submit that the combination of Dotsubo and Miyamoto fail to teach or suggest each and every feature as set forth in the claimed invention.

Specifically, the Examiner alleges that Dotsubo discloses an information-image displaying method in Fig. 8. For example, the Examiner alleges that Dotsubo discloses producing an original image of the information image in accordance with a primary pixel number of the subject image in col. 11, lines 56-66 and Figure 20: S301-S311 of Dotsubo. Also, the Examiner alleges that Dotsubo discloses executing a low-pass-filter process in Fig. 8: S31-S33 and col. 8, lines 55-60. (see final Office Action, page 3).

Applicants respectfully submit that Dotsubo's Fig. 8 merely reveals that in a photograph mode the CPU 28 makes reference to the setting of the image setting button 50 at a step 29 to determine whether this photographed image is "title image" or not. If yes, the Y data is binarized at a step S31 so that the binary data is subjected to an LPF (Low Pass Filter) process at a step S33. In

other words, the "title image" in Dotsubo is set by the image setting button 50 and the resolution is set at VGA regardless of the setting of the image-quality setting button 63. (see Dotsubo, col. 8, lines 52-65 and col. 7, lines 4-5). Specifically, Dotsubo discloses that the "title image" is set in resolution at VGA (640 pixels x 480 lines). However, the resolution of the recorded subject image in Dotsubo can be XGA, QVGA or VGA. As such, Dotsubo does not produce its "title image" in accordance with the subject image as set forth in the claimed invention, but instead sets the "title image" at VGA, regardless of the resolution of the subject image.

As such, applicants respectfully submit that the Examiner is mis-characterizing Dotsubo by alleging that Dotsubo discloses "matching" the "photograph image" and the "title image". No such language is used or suggested by Dotsubo in col. 11, lines 56-66, as cited by the Examiner.

Furthermore, in contrast with Dotsubo, in the present invention an original image of the information-image is produced in accordance with a primary pixel number of the subject image. In other words, the arrangement of the pixels constructing the letters of the information image is designed in accordance with the pixel number of the taken subject image. Thus, in the present invention, for example, the original image is produced on condition that it is displayed on the screen of 1,280 x 1,024 pixels.

However, as noted above, Dotsubo fails to disclose that its "title image" is produced in accordance with the pixel number of the taken subject image. Instead, Dotsubo merely discloses that the

"title image" is set by the image setting button 50 with a resolution set at VGA, regardless of the setting of the image-quality. As such, Dotsubo's "title image" pixels fail to be arranged in accordance with the taken subject image, as set forth in claim 1.

In addition, in the present invention, the Low Pass Filter (LPF) process is executed for the original image wherein a target pixel is set in a certain line of the original image and regarding this target pixel and adjacent pixels thereof, a brightness level of each pixel is multiplied by a prescribed coefficient, for example. The multiplied brightness levels are summed up to obtain a new brightness level of the target pixel. (see present specification, page 11).

Specifically, claim 1 recites, inter alia, that during the operation process the original pixel to be processed and the adjacent (N-1) original pixels thereof are each multiplied by a predetermined coefficient and summed up, wherein the N is a natural number more than "3". Furthermore, a brightness level of each pixel of the information image is calculated in the low-pass-filter process.

The Examiner concedes that Dotsubo fails to disclose that each pixel is multiplied by a predetermined coefficient. (see final Office Action, page 3). However, in an attempt to show this feature, the Examiner imports the new reference Miyamoto.

Specifically, the Examiner alleges that Miyamoto discloses each pixel being multiplied by a predetermined coefficient and

summed up in col. 5, lines 1-6. (see final Office Action, page 3).
Applicants respectfully disagree with this allegation.

Applicants respectfully submit that Miyamoto merely discloses
that through weighting calculations, using the selected
coefficients α, β, γ, and δ in accordance with the respective
distances from R22, an exact corrective operation can be performed.
(see Miyamoto, col. 5, lines 1-6).

In other words, Miyamoto merely discloses performing weighting
calculations using selected coefficients wherein the pixel
interpolation operation is performed on the image data by weighting
pixels to be used for the pixel-interpolation operation, in
accordance with the distance between a pixel to be interpolated and
each of the to-be-weighted pixels. (see Miyamoto, Abstract).

However, Miyamoto fails to be concerned about the
"information-image", i.e., the title image for example. The
"operation" that Miyamoto refers to is an operation being perform
in the subject image data, not the information-image data.
Furthermore, Miyamoto fails to disclose taking the adjacent (N-1)
original pixels (of the information-image) and multiplying them by
the predetermined coefficient and summing up, wherein "N" is a
natural number more than "3". Miyamoto merely discloses a set of
coefficients being used based on respective distances from a red
component R22.

Furthermore, applicants respectfully submit that both Dotsubo
and Miyamoto fails to disclose elements being arranged at intervals

so as to avoid affecting each other after the low-pass-filter process, as set forth in claim 4. In fact, Dotsubo and Miyamoto are completely silent about the interval between letters in the "title image" or the effect thereof of having such intervals. It appears that the Examiner is merely using improper hindsight in alleging that Dotsubo discloses such a feature based on design choice.

Furthermore, applicants submit that both Dotsubo and Miyamoto fail to disclose that a brightness level of each pixel of the "title image" is calculated in the low-pass-filter process. The Examiner alleges that such a brightness level is calculated in Fig. 8 steps S31-S33 of Dotsubo. However, Dotsubo's Fig. 8 merely discloses that a LPF process is being performed on the "title image", however, no specifics are given on what exactly is being done during this LPF process. In fact, Dotsubo makes no reference to a brightness level of the "title image" being even calculated. Applicants submit that Dotsubo's calculations and equations are all relative to the "photographed image data" and not the "title image" data.

Also, applicants submit that the Examiner is reading far too much into Dotsubo's *limited* disclosure, which amounts to improper hindsight.

As such, applicants submit that Miyamoto fails to make up for the deficiencies found in Dotsubo.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicants respectfully submit that not only does the cited references fail to teach or suggest each and every feature as set forth in the claimed invention, but that one of ordinary skill in the art would not have been motivated to modify/combine the teachings of Dotsubo with Miyamoto to arrive at the claimed invention because there is no teaching or suggestion in Dotsubo or Miyamoto regarding how or why one would modify such a method to arrive at the claimed invention.

Accordingly, withdrawal of the rejection of claims 1-14 under 35 U.S.C. §103(a) is respectfully requested.
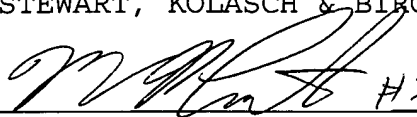
Conclusion

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 **to schedule a Personal Interview**.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Respectfully submitted,

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